



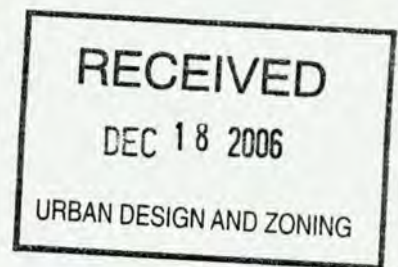
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THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 385 - 2006

To designate the property of Huttonville Cemetery, Mississauga Road as being of cultural heritage value or interest.

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 (as amended) authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest;

WHEREAS the Brampton Heritage Board supports the designation of the properties described herein;

WHEREAS a Notice of Intention to Designate has been published and served in accordance with the Act, and there has been no Notice of Objection served on the Clerk;

NOW THEREFORE the Council of the Corporation of the City of Brampton HEREBY ENACTS as follows:

1. The property of Huttonville Cemetery, Mississauga Road more particularly described in Schedule "A" is hereby designated as being of cultural heritage value or interest pursuant to Part IV of the *Ontario Heritage Act*.
2. The City Clerk shall cause a copy of this by-law to be registered against the property described in Schedule "A" to this by-law in the proper Land Registry Office.
3. The City Clerk shall cause a copy of this by-law to be served upon the owners of the property of Huttonville Cemetery, Mississauga Road and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Brampton as required by the *Ontario Heritage Act*.
4. The City Clerk shall serve and provide notice of this by-law in accordance with the Act.
5. The short statement of the reason for the designation of the property, including a description of the heritage attributes are set out in Schedule "B" to this by-law.
6. The affidavit of Kathryn Zammit attached, as Schedule "C" hereto shall form part of this by-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL
THIS 13th DAY OF DECEMBER, 2006.

Approved as
to form

C. Vinick

07 12 06

Susan Fennell
SUSAN FENNELL - MAYOR

Kathryn Zammit
KATHRYN ZAMMIT - CLERK

Approved as to Content:

Karl Walsh

Karl Walsh, Director, Community Design, Parks Planning and Development

SCHEDULE "A" TO BY-LAW

385-2006

LEGAL DESCRIPTION

PT LT 9 CON 4 WHS CHINGUACOUSY ; BRAMPTON

14093-0008 (R)

**SHORT STATEMENT OF THE REASON FOR THE DESIGNATION OF
HUTTONVILLE CEMETERY, MISSISSAUGA ROAD**

Heritage designation of Huttonville Cemetery, under Part IV of the Ontario Heritage Act, is recommended for architectural, historical and contextual reasons.

The property is a historic Euro-Canadian cemetery established in the 1840s. The first recorded burial in Huttonville Cemetery was in 1841. The last burial was in 1930. A Methodist Episcopal Church once stood on this property, possible pre-dating 1877.

Persons of various denominations are buried in this cemetery including members of the Erskine, Leflar, Hunter, Reed and Pettigrew families.

The Cemetery holds several original, hand carved tombstones and markers displaying well executed and beautiful motifs, symbols and inscriptions. The markers are of the slab and obelisk form and are made of principally of marble and limestone. Several of the markers are free standings. Some markers were imbedded into a concrete cairn in the centre of the cemetery.

The cemetery has a square shape and comprises 1 acre, facing Mississauga Road.

The landscaping elements of the Cemetery are significant with several mature shade trees, including oak trees, also hedgerows and shrubs. The site is also distinguished by grass swales and the absence of a concrete curb and gutter system and other details typically a part of an urban road cross-section. Collectively these elements form an important rural character, worthy of on-going care and protection.

The property, and the burials its contains, hold significant spiritual importance as the 'final resting place' of several 19th century citizens of Brampton, including its earliest Euro-Canadian settlers.

The many heritage attributes in the cemetery are a deep and meaningful symbol of the early inhabitants who helped shape the character and development of Brampton.

The important and well preserved cemetery also represents a significant vestige of the of the village of Huttonville.

The short statement of reason for the designation, including a description of the heritage attributes along with all other components of the full Heritage Report: Statement of Reason for Heritage Designation, constitute the "reason for heritage designation" required under the Ontario Heritage Act. The full Heritage Report is available for viewing in the City Clerk's office at City Hall, during regular business hours.

DESCRIPTION OF HERITAGE ATTRIBUTES (CHARACTER DEFINING ELEMENTS):

Unless otherwise indicated, the reason for designation apply generally to all exterior elevations, facades, foundation, markers, construction materials and their related building techniques, all burials, the grounds generally including all landscaping elements, hedgerows, groupings of trees, and shrubs, vistas, fences

and all other natural and structural elements found on the subject property. Specific heritage attributes of significance include:

Exterior Architectural Heritage Attributes:

Several original, hand carved tombstones and markers displaying well executed and beautiful motifs, symbols and inscriptions. The markers are of the slab and obelisk form and are made of principally of marble and limestone.

Contextual Heritage Attributes:

Setting and landscaping elements form an interesting urban green space; the landscaping elements are significant and contain mature shade trees and some evergreens.

Historical /Cultural Heritage Attributes:

Many very prominent early settlers are buried in this cemetery; it is a vivid symbol of the early inhabitants who helped shape the character and development of Brampton; the property has significant spiritual importance as the 'final resting place' of several 19th century citizens of Brampton.

AFFIDAVIT OF KATHRYN ZAMMIT

I, KATHRYN ZAMMIT, of the Town of Caledon in the Region of Peel, MAKE OATH AND SAY:

- 1. I am the Clerk for the Corporation of the City of Brampton and as such I have knowledge of the facts therein contained.
- 2. The public notice of intention to designate "Huttonville Cemetery, Mississauga Road" was served on the owner of the property and was advertised, in the form attached as Exhibit A to this my affidavit, in the Brampton Guardian, a newspaper having general circulation in the City of Brampton, on November 10 2006.
- 4. The by-law to designate the "Huttonville Cemetery, Mississauga Road" came before City Council at a Council meeting on December 13 2006 and was approved.
- 5. A copy of the by-law, including a short statement of the reason for the designation has been served upon the owner of the property and the Ontario Heritage Trust and notice of such by-law was published in the Brampton Guardian on November 28 2006.

SWORN before me at the City)
of Brampton, in the Region)
of Peel, this)
day of ,)

A Commissioner for Taking Affidavits, etc.